

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. - 9. (Cancelled)

10. (Currently Amended) A position measuring instrument according to claim ~~45~~ 16, further comprising:

a light-receiving unit having the collimation center, with a deviation of position of reflection light for the collimation center, and wherein the direction of the target reflector is obtained from a rotating position of an angle of detection.

11. (Previously Presented) A position measuring instrument according to claim 10, capable of obtaining a direction and distance to a plurality of reflectors.

12. (Currently Amended) A position measuring instrument according to claim ~~45~~ 16, wherein a sending set sends a referenced data to an individual reflector, and based on a plurality of detection, transmit measurement data referenced to a reflected reflector.

13. (Currently Amended) A position measuring instrument according to claim ~~45~~ 16, wherein image data captured by a light receiving unit is referred to the position data.

14. (Currently Amended) A position measuring instrument according to claim ~~45~~ 16, further comprising a light-receiving unit and wherein image data captured by the light-receiving unit is revised based on the difference between image data received when target is illuminated and image data received when target is not illuminated ~~emitted, and reversed detected light, and image data without detected light.~~

15. (Cancelled)

16. (New) A position measuring instrument that irradiates a reflector with a measuring light to determine the distance to the reflector on the basis of the reflected light, comprising:

a rotating unit comprising a rotating mirror and means for expanding the measuring light in a fan-shaped manner, wherein said fan-shaped manner expanding in an angular height direction relative to a horizontal plane;

a fixed unit comprising a distance-detection light emitting unit which has the same visual field as that of the fan-shaped manner;

a distance-detection light receiving unit; and

an angle detector detecting the horizontal angle position of the rotating mirror, whereby the measuring light of fan-shape is guided from the fixed unit via the rotating mirror horizontally to the reflector and the measuring light reflected by the reflector is guided via the rotary mirror back to the fixed unit, further characterized by a horizontal angle and height angle detecting unit comprising a detection light emitting unit and an imaging unit and by a transmitter for transmitting image data from the imaging unit associated with position data of the reflector to a receiving unit of a photoreceiver comprising the reflector, wherein

said measuring light includes collimation light;

said light receiving unit has a collimation-use light receiving sensor for receiving the collimation light; and

said collimation-use light receiving sensor detects a collimation center and deviation of the reflector by the reflected light.